

Commissioners

MARISEL A. HERNANDEZ, *Chair*
WILLIAM J. KRESSE, *Commissioner/Secretary*
JONATHAN T. SWAIN, *Commissioner*
LANCE GOUGH, *Executive Director*



Board of Election Commissioners for the City of Chicago

Minutes of

Regular Board Meeting

July 9, 2019, 9:30 a.m.

69 West Washington Street, 8th Floor Conference Room, Chicago, Illinois 60602

Board Members:

Marisel A. Hernandez, Chairwoman
William J. Kresse, Commissioner/Secretary
Jonathan T. Swain, Commissioner

Staff:

Lance Gough, Executive Director
Charles Holiday, Assistant Executive Director
Adam W. Lasker, General Counsel
Joan T. Agnew, Deputy Counsel
James P. Allen, Communications Director
LaCretia Dandridge, Human Resources Manager
Opal Walls, Purchasing Agent
Amanda Robledo, Purchasing Department
Bill Perez, Coordinator Hispanic Outreach
Sarita Villarreal, Consultant
Gary Ryczyn, Consultant
Trupti Patel
Geneva Morris, Videographer
Trish Sheehy

Guests:

Helene Gabelnick, League of Women Voters of Chicago (LWV Chicago)
C. Betty Magness, Rainbow PUSH Coalition
Geoff Ryan, ES&S
Seanese Smith, Dominion
Brooke Greene, City Bureau
Nathan Worcester, City Bureau

- I. Call to Order: The Chair called the meeting to order at 9:44 a.m.
- II. Roll Call: All were present.
- III. Consideration of Agenda: no changes at this time

IV. Approval of Minutes:

A. Minutes of the Regular Board Meeting of May 14, 2019.

Commissioner Swain moved to approve the Minutes of the Regular Board Meeting of May 14, 2019. Commissioner Kresse seconded the motion. The motion was passed by unanimous vote of the Board.

V. Executive Director's Report

Executive Director Lance Gough reported as follows:

- Status of poll place ADA project:
 - We have a conference call scheduled for today with the Department of Justice (DoJ), Deborah Moss and Adam Lasker. We are working on a new (or an extension) of our agreement with the DOJ. The current agreement expires at the end of the year.
 - We have been meeting with various City departments and sister agencies, i.e., Chicago Park District and Chicago Public Schools (CPS), to survey the polling places. We are starting with the Park District which has been very cooperative.
 - We will hopefully begin survey training on Monday.
 - The sister agencies will survey their properties, Fleet and Facility Management (2FM) will survey City of Chicago Properties and the Board will survey privately owned properties.
 - Approximately 50 percent of our polling places are privately owned. These are the more difficult properties to access for surveying.
 - We no longer have any polling places in private residencies.
 - Because ADA compliance is different based on use, some properties may be in compliance for their primary use, such as a school, but not for polling place requirements. If bringing a property into compliance is not feasible, the agencies have been helping us identify other appropriate properties within their authority that might be used for polling places.
 - CPS has new security protocols that require background checks for everyone. CPS has exempted election personnel from this requirement. CPS polling places have direct entry into the polling place or have pathways that do not require passing classrooms or washrooms.
 - Mr. Gough stated that CPS has been very responsive to our requests.
 - Mr. Lasker pointed out how supportive the Park District has been. They have hired interns to conduct surveys and have suggested alternative polling place locations in some new buildings that had not been on our radar.
 - Mr. Lasker added that CPS and the Park District have some older properties that “grandfathered in” or exempted from some ADA

requirements for their normal use. However, these exemptions do not apply to use as polling places. In those cases we will need to find new locations.

- Mr. Gough explained that most firehouses are not ADA compliant. But CFD has been cooperative and has some newer firehouses that have meeting or conference rooms and may be compliant.
- We are on schedule regarding new voting equipment.
- Mr. Gough has sent letters and maps to Aldermen regarding the reduction of the number of precincts. We have already scheduled meetings with some of the Aldermen.
- A. Assistant Executive Director Charles Holiday reported as follows:
 - We are receiving calls from, and are setting up meetings with, Aldermen regarding the precinct reduction plan.
 - We are working with Managers regarding staff evaluations and contingency planning.
 - We are still having weekly meetings with ES&S regarding the e-poll book; upgrades will include the ADA form to be filled out on Election Day and other updates.
- B. Communications Director Jim Allen reported as follows:
 - We are working on transferring the website to a new hosting environment as well as the transfer to “.gov”. Hopefully we will have that done in time for the canvass mailing so that we can include the “.gov” reference in the materials.
 - Spoke with the new Purchasing Agent about putting out the contract for the canvassing mailing. Given the time frame we may have to poll the Board in late July so that we can still have a mailing by the end of August.
 - We are continuing the work on the emergency preparedness/contingency planning drafts.
 - Began graphic design work for 2020 signage and forms. Commissioner Swain encouraged that emergency ordered signs and notices be considered in printing specifications. Mr. Allen said he will keep that in mind and plan printing format standards.
 - Mr. Gough explained that the Election Assistance Commission does not have signage/notice standards or guidelines. Messrs. Gough and Allen along with Commissioner Swain suggested that Board adopt its own guidelines.

Commissioner Kresse asked if this printing is now performed in-house since the Board recently acquired new equipment. Mr. Gough replied that we do use the new equipment and it works out quite well. Mr. Allen added that for certain large signs we need to use outside printers.

VI. Old Business

A. Infrastructure Projects and Changes in Election Administration: Nothing to report.

B. Electronic Poll Books:

The subject of electronic poll books (e-poll books) was covered under Assistant Executive Director Holiday's report.

C. Voting Equipment

Opening of the sealed bids submitted in response to the Request for Proposals (RFP) for Voting Systems:

Mr. Gough announced that we received two sealed bids. The Board's Purchasing Agent, Ms. Opal Walls, opened them in open session. Ms. Walls did not read the bids, but will give them to an evaluation committee. Vendors Election Systems and Software (ES&S) and Dominion Voting Systems (Dominion) submitted bids. While Ms. Walls was opening the bids, General Counsel Adam Lasker stated that the evaluation committee will factor in all pricing, and that the Board will publish the numbers 48 hours before announcing the final decision or acting on the bid.

Mr. Gough estimated that the evaluation process will take a couple of weeks, depending on the contents of the bid and whether we will need to get clarification.

D. Legislation:

General Counsel Adam Lasker reported that it is his understanding that no action was taken on the "omnibus bill". As such, we will continue to push our legislative agenda during the next session. There are a few bills, including one pertaining to pre-trial detainees that are awaiting the Governor's signature. If the Governor neither signs nor vetoes the bills, they will automatically become law.

Commissioner Swain had questions regarding the status of automatic voter registration (AVR). Mr. Gough and Mr. Lasker stated that AVR hinges on the Secretary of State's roll-out of Real ID. We have been receiving data from the Secretary of State, but the full AVR program has not been implemented by the Secretary of State's office.

VII. New Business

A. Professional Services Agreement between the Board of Election Commissioners for the City of Chicago and:

1. Dean Ftikas

Mr. Lasker explained that the contract was amended to include "as needed." It is uncertain at this time whether or not the Board will need to relocate the warehouse, so that portion of contract was amended to state

“as needed”. Mr. Ftikas assists us with downtown vote center and the Early Voting (EV) sites.

Commissioner Kresse moved to approve the Professional Service agreement with Dean Ftikas for locating and procuring vote centers, and if needed warehouse facilities for the term of July 1, 2019—June 30, 2020 at a rate of \$65 per hour not to exceed \$70,000 over the term of the agreement. Commissioner Swain seconded the motion. The motion passed by 3:0 vote of the Board

2. JPA Consulting Group, Inc.

Purpose of the agreement with JPA Consulting Group, Inc. is to perform media public relations, strategic planning, community outreach and related communications on behalf of the Board, for the period of July 1, 2019 through June 30, 2020 at the rate of \$12,500/month

Commissioner Swain requested that the Board pass on this agreement at this time. Commissioner Kresse moved to defer this matter to the next meeting. Commissioner Swain seconded the motion. The motion was passed by 3:0 vote of the Board and the matter was deferred to the next meeting of the Board.

3. Guillermo Perez

Commissioner Swain moved to approve an agreement between the Board and Guillermo Perez for the term of July 1, 2019 through June 30, 2020 at a rate of \$50 per hour, not to exceed \$90,000 over the term of the contract, plus reimbursement for actual and reasonable travel and incidental expenses. Mr. Perez will assist and advise the Board on issues related to the Board’s responsibilities under Section 203 of the Voting Rights Languages Assistance Act to provide voting information to members of the Spanish-speaking community; to act as the Board’s liaison to the Hispanic Advisory Committee on issues related to serving the needs of Spanish-speaking individuals; to expand their opportunity to vote; and to act as representative of the Board to the Hispanic media on matters of importance to Hispanic voters. Commissioner Kresse seconded the motion. The motion passed by unanimous vote of the Board.

4. Gary M. Ryczyn

Commissioner Kresse moved to approve an agreement between the Board and Gary M. Ryczyn for a term of July 1, 2019 through June 30, 2020 for professional services related to the requirements and preparation of ballots, including working with the voting equipment vendors, at a rate is \$65 per hour, not to exceed \$135,000 over the term of the agreement, plus reimbursement for actual and reasonable travel and incidental

expenses. Commissioner Swain seconded the motion. The motion was approved by unanimous vote of the Board.

5. Sarita Villarreal

Commissioner Swain moved to approve the Professional Services Agreement between the Board and Sarita Villarreal who will assist and advise the Board on issues related to the Board's responsibilities under Section 203 of the Voting Rights Languages Assistance Act to provide voting information to members of the Spanish-speaking community; to act as the Board's liaison to the Hispanic Advisory Committee on issues related to serving the needs of Spanish-speaking individuals; and to expand their opportunity to vote. The term of the agreement is from July 1, 2019 through June 30, 2020 at a rate of \$35 per hour, not to exceed \$70,000. Commissioner Kresse seconded the motion and the motion was passed by 3:0 vote of the Board.

6. Shobhana Johri Verma

Commissioner Kresse moved to approve a Professional Services Agreement between the Board and Shobhana Johri Verma for the term of July 1, 2019 through June 30, 2020 to assist and advise the Board on issues related to the Board's responsibilities under Section 203 of the Voting Rights Languages Assistance Act to provide voting information to members of the Asian-Indian community in the City of Chicago; to Act as the Board's liaison to the Asian-Indian community of issues related to serving the needs of Asian-Indian voters; and to act as representative of the Board to the Asian-Indian media on matters of importance to Asian-Indian voters and the Board. The rate of the agreement is \$45 per hour, not to exceed \$90,000. Commissioner Swain seconded the motion. The motion passed by unanimous vote of the Board.

VIII. Legal Report

General Counsel Adam Lasker reported as follows:

- We have been working on updating the 2020 elections calendar/pamphlet calendar. (We have received some inquiries as to signature requirements, although petition circulation begins September 3rd.)
- We plan on updating the Board's Index of Decisions from the prior round of electoral cases. While not on today's agenda, Mr. Lasker wanted to advise the Board that he will be drafting a proposed addition to our apparent conformity policy in light of recent court decisions.
- The I-GO conference is next week. Mr. Lasker will be going to represent the Board, as well as the Association of Election Commission Officials of Illinois (AECOI). Mr. Lasker serves as the General Counsel to AECOI and Mr. Gough is the Association's President.

IX. Financial Report: none

X. Public Comment: none

XI. Executive Session: Commissioner Kresse moved to enter into closed Executive Session for the purpose of discussing pending litigation. Commissioner Swain seconded the motion. The Board entered into closed session at 10:16 a.m.

The Board returned to open session at 10:37 a.m. The Chair announced that no action was taken during the closed session, but would like to amend the motion to enter into Executive Session to include in the purpose the discussion of personnel matters. Commissioner Kresse moved to amend the motion. Commissioner Swain seconded the motion. The motion to amend was passed by 3:0 vote of the Board

XII. Adjournment: Commissioner Kresse made a motion to adjourn until the next scheduled meeting of July 23, 2019. Commissioner Swain seconded the motion. The motion was approved by a 3:0 vote of the Board. The Board adjourned at 10:39 a.m.

Submitted,

Commissioner William J. Kresse
Secretary